

*Operating Permit
Application Packet for*

**Stand-Alone
Surface Area Disturbance**



*Prepared by
Division of Environmental Protection
Bureau of Air Pollution Control
Class II Permitting Branch
Revised June 2003*

State of Nevada
Division of Environmental Protection
Bureau of Air Pollution Control

**APPLICATION FOR
CLASS II OPERATING PERMIT**

Please return to: Nevada Division of Environmental Protection
Bureau of Air Pollution Control, Class II Permitting Branch
333 West Nye Lane
Carson City, Nevada 89706-0851
(775) 687-4670 FAX (775) 687-6396

General Information

This application is available from the Bureau of Air Pollution Control in a Microsoft Word file, or on the internet at www.ndep.nv.gov/bapc. All information required in the application may be computer generated and submitted to the Bureau on 3-1/2" disk(s) or CD(s). In addition, one printed copy must be submitted.

All information required by the "General Company Information" and by the relevant forms in Appendices 1 through 3 must be completed.

The application filing fee required by NAC 445B.327 must be submitted with the completed application. The fee for a new Class II surface area disturbance permit, or the renewal of a Class II surface area disturbance permit, is \$400. The fee for a revision of a Class II surface area disturbance permit is \$200. Checks must be made payable to: Nevada State Treasurer, Environmental Protection.

This application packet shall be used for new stand alone surface area disturbance permits, renewal of stand alone surface area disturbance permits, or for revision of stand alone surface area disturbance permits. Surface area disturbance permits are required for any disturbances that are of five acres or more. If other activities that have the potential to impact air quality are planned, other permits may be required.

An application for a Class II surface area disturbance permit must be signed by a responsible official, as defined in NAC 445B.156. The certification/signature page is contained in Appendix 3.

All items in the application must be addressed. If an item does not apply "N/A" or similar notation must be entered in the appropriate blank. All other information must be provided. Incomplete applications will be returned to the responsible official within 10 working days of receipt of the application packet.

A **complete** application for renewal of a Class II Operating Permit must be submitted at least 30 calendar days before the expiration date of the current permit. The Bureau of Air Pollution Control suggests that the application be submitted well in advance of the 30 day deadline to ensure the application is complete.

Assistance in completing the application is available from the Business Environmental Program, University of Nevada, Reno, at (775) 689-6678 or (800) 882-3233 (toll-free).

Nevada Administrative Code 445B.22037 requires fugitive dust to be controlled, and requires an ongoing program, using best practical methods, to prevent particulate matter from becoming airborne. All construction activities which have the potential to adversely affect the local air quality must implement all appropriate measures to limit controllable emissions. Appropriate measures for dust control may consist of a phased approach to acreage disturbance rather than disturbing the entire area all at once; using wet suppression through such application methods as water trucks or water spray systems to control wind blown dust; the application of soil binding agents or chemical surfactant to roadways and areas of disturbed soil; as well as the use of wind-break or wind-limiting fencing designed to limit wind erosion of soils.

**Application
for
Class II Air Quality
Operating Permit for
Stand-Alone
Surface Area Disturbance**



GENERAL COMPANY INFORMATION

All applicants shall complete each item or explain in the space provided why no information is needed. Please specify "N/A" (Not Applicable) if necessary. The application will be returned to the applicant if it is deemed incomplete.

1. **COMPANY NAME AND ADDRESS THAT ARE TO APPEAR ON THE OPERATING PERMIT**
[NAC 445B.295.1]:

(Name)

(Address)

(City)

(State)

(Zip Code)

2. Owner's Name and Address [NAC 445B.295.1]:

(Name)

(Address)

(City)

(State)

(Zip Code)

3. Source Name and Mailing Address, if different from #1 [NAC 445B.295.1]:

(Name)

(Address)

(City)

(State)

(Zip Code)

4. Physical Location of Stationary Source [NAC 445B.295.8]: (if no physical address, describe location, e.g., 4 miles south of I-80 at xx Interchange)

Township(s) _____ Range(s) _____ Section(s) _____

5. Plant Manager or Other Appropriate Contact [NAC 445B.295.1]:

(Name)

(Title)

(Address)

(City)

(State)

(Zip Code)

(Telephone #)

(FAX #)

(E-mail address)

GENERAL COMPANY INFORMATION (CONTINUED)

6. Responsible Official Name, Title and Address [NAC 445B.295.1]:

(Name)	(Title)	
(Address)		
(City)	(State)	(Zip Code)
(Telephone #)	(FAX #)	(E-mail address)

7. If records required under the operating permit will be kept at a location other than the source, specify that location [NAC 445B.295.7].

(Name)		
(Address)		
(City)	(State)	(Zip Code)

8. This application is being submitted for the following (please check appropriate box below):

- ☐ A new Class II Operating Permit for Surface Area Disturbance
- ☐ Renewal of a Class II Operating Permit for Surface Area Disturbance
- ☐ Revision of a Class II Operating Permit for Surface Area Disturbance
- ☐ A Class II Operating Permit for Surface Area Disturbance in Pahrump Valley

9. Application Submittal:

Please remove cover page, General Information, and Instructions. Submit the remainder of the application packet as your formal application. The submittal should consist of the Class II Application cover page, the General Company Information, Appendix 1(Surface Area Disturbance Application Form), Appendix 2 (USGS or other acceptable map and, if needed, the dust control plan.), and Appendix 3 (Application Certification).

Appendix 1

SURFACE AREA DISTURBANCE APPLICATION FORM

Instructions

1. Surface Area Disturbance form:
 - a. Complete a Surface Area Disturbance application form for any land disturbance that will equal or exceed 5 acres of total disturbance.
 - b. Submit as part of the application a dust control plan for each surface area disturbance that will equal or exceed 20 acres of total disturbance. If the surface area disturbance is located in Pahrump Valley (HA 162) and equals or exceeds 5 acres of total disturbance, please submit a dust control plan with all applications. Provide the dust control plan as part of Appendix 2. The BAPC Surface Area Disturbance Permit Dust Control Plan (PLAN) Preparation Guidelines can be obtained on the Internet at www.ndep.nv.gov/bapc.
 - c. Include in Appendix 2, a USGS 7½' or 15' map or other topographic map (with topographic lines clearly visible) indicating the following (NAC 445B.295.8):
 - (1) Exact location of all areas of surface disturbance.
 - (2) Property boundary.
 - (3) Location of fence or other physical barrier around source.
 - (4) Scale of map.
 - (5) UTM's, if other than a USGS 7½' or 15½ map is submitted.
 - (6) Elevation contours and contour intervals, and contour values, clearly visible and in sufficient detail to determine elevations.
3. Application Certification:

Complete the certification checklist for all forms and information provided in your application submittal. The responsible official must sign and date the application certification found in Appendix 3.

**SURFACE AREA DISTURBANCE
APPLICATION FORM
CLASS II OPERATING PERMIT**

1. Project Name _____

2. Surface Area Disturbance Location:

Overall disturbance location description (please provide subdivision of section, i.e. NE1/4 of Section 22):

Township _____; Range _____; Section(s) _____;

Township _____; Range _____; Section(s) _____;

Township _____; Range _____; Section(s) _____;

Township _____; Range _____; Section(s) _____;

Township _____; Range _____; Section(s) _____;

Township _____; Range _____; Section(s) _____;

Township _____; Range _____; Section(s) _____;

Township _____; Range _____; Section(s) _____;

3. Indicate the total number of acres to be disturbed for each location listed above:

- a. _____
- b. _____
- c. _____
- d. _____
- e. _____
- f. _____

4. Indicate the total number of acres to be disturbed: _____

5. Nevada Administrative Code 445B.22037 requires fugitive dust to be controlled (regardless of the size or amount of acreage disturbed), and requires an ongoing program, using best practical methods, to prevent particulate matter from becoming airborne. All activities which have the potential to adversely affect the local air quality must implement all appropriate measures to limit controllable emissions. Appropriate measures for dust control may consist of a phased approach to acreage disturbance rather than disturbing the entire area all at once; using wet suppression through such application methods as water trucks or water sprays systems to control wind blown dust; the application of soil binding agents or chemical surfactant to roadways and areas of disturbed soil; as well as the use of wind-break or wind-limiting fencing designed to limit wind erosion of soils.

6. Dust Control Plan (please visit <http://ndep.nv.gov/bapc> for additional information regarding dust control plans).

- a. For Pahrump Valley, please include a dust control plan in Appendix 2 if the total number of acres to be disturbed listed in 3 above equals or exceeds 5 acres.
- b. Please include a dust control plan in Appendix 2 if the total number of acres to be disturbed in number 3 above equals or exceeds 20 acres (except in Pahrump Valley in a above).

The dust control measures discussed in 5 above should be considered in the preparation of the required dust control plan. The acceptance of the dust control plan by the Bureau of Air Pollution Control does not limit the permit holder's need to control fugitive dust from the disturbance and its related activities, nor from putting into effect an ongoing program for using the best practical methods of dust control.

Appendix 2

MAP

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DUST CONTROL PLAN

Appendix 3

APPLICATION CERTIFICATION

Please complete the certification checklist for all forms and information provided in your application submittal. The responsible official must sign and date the application certification found in Appendix 3.

If the application is signed by a person other than the responsible official, as defined in NAC 445B.156, the application will be returned as incomplete.

Note: According to NAC 445B.156, **Responsible Official** means:

1. For a corporation:
 - (a) A president;
 - (b) A vice president in charge of a principal business function;
 - (c) A secretary;
 - (d) A treasurer; or
 - (e) An authorized representative of such a person who is responsible for the overall operation of the facility and who is designated in writing by the officer of the corporation and approved in advance by the director.
2. For a partnership or sole proprietorship: a general partner or the proprietor, respectively.
3. For a municipality or a state, federal or other public agency: a ranking elected official or a principal executive officer, including, for a federal agency, a chief executive officer who has responsibility for the overall operations of a principal geographic unit of the agency.
4. For an affected source: the designated representative or his alternate, as defined in 42 U.S. C. § 7651 a (26).

APPLICATION CERTIFICATION

Certification of application content consisting of the following:

(Please check each of the appropriate boxes to indicate the information provided in your application submittal)

General Company Information

☐ General Company Information Form

Surface Area Disturbance Application Form (Appendix 1)

☐ Surface Area Disturbance Form

Map, Dust Control Plan (Appendix 2)

☐ Map Provided

☐ Dust Control Plan Provided

Application Certification (Appendix 3)

☐ Application Certification

Additional Information Requested by the Director

☐ Any Additional Information Required by the Director

PLEASE NOTE THE FOLLOWING REQUIREMENTS WHICH APPLY TO PERMIT APPLICANTS DURING THE APPLICATION PROCESS:

- A. A permit applicant must submit supplementary facts or corrected information upon discovery [NAC 445B.297.1(b)].
- B. A permit applicant is required to provide any additional information which the Director requests in writing within the time specified in the Director's request [NAC 445B.297.1(c)].
- C. Submission of fraudulent data or other information may result in prosecution for an alleged criminal offense (NRS 445B.470).

CERTIFICATION: I certify that, based on information and belief formed after reasonable inquiry, the statements contained in this application are true, accurate and complete.

Signature of Responsible Official

Print or Type Name **and** Title

Date